IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 25440 of 2007(C)

PETITIONERS:
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1. **P.A.ASHRAF, PULICKAKUDY HOUSE, KANDANTHARA, ALLAPRA POST, PERUMBAVOOR, ERNAKULAM DISTRICT.**

2. **P.A.MUHAMMED, RESIDING IN DO...DO...**

3. **P.U.MAJEED, PATTARUMADAM HOUSE, KANDANTHARA, ALLAPRA P.O., PERUMBAVOOR,ERNAKULAM DISTRICT.**

4. **V.S.YOUSEF, VELLAKDY HOUSE, KANDANTHARA, ALLAPRA P.O., PERUMBAVOOR,ERNAKULAM DISTRICT.**

5. **P.M.SALEEM, PULICKAKUDY HOUSE, KANDANTHARA, ALLAPRA P.O., PERUMBAVOOR,ERNAKULAM DISTRICT.**

BY ADV. SRI.P.B.KRISHNAN
SRI.R.SURAJ KUMAR

RESPONDENTS:
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1. **THE SENIOR ENVIRONMENT OFFICER, THE KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE, ERNAKULAM.**

2. **THE HON'BLE OMBUDSMAN FOR LOCAL SELF GOVERNMENT INSTITUTIONS,THIRUVANANTHAPURAM.**

3. **THE VENGOLA GRAMA PANCHAYAT,REPRESENTED BYITS SECRETARY,GENGOLA, ERNAKULAM DISTRICT.**

**4. M/S.SALAH SAW MILL & INDUSTRIES,
REPRESENTED BY ITS PROPRIETOR T.K.HASSAINAR,
KANDANTHARA, ALLAPRA POST,
PERUMBAVOOR, ERNAKULAM DISTRICT.**

**BY ADV. SRI.K.RAMAKUMAR - R4
SRI.SIRAJ KAROLY - R3
SRI.M.K.CHANDRAMOHAN DAS - R1**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.25440/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REFUSAL OF CONSENT IN FILE NO.PCB/EKM/IAO-38/07 BY THE IST RESPONDENT DT. 2.3.07.

EXT.P2:- COPY OF THE STOP MEMO ISSUED BY RESPONDENT NO.3 DT. 6.3.07.

EXT.P3:- COPY OF THE COMMUNICATION ISSUED BY DMO ERNAKULAM DT. NIL .

EXT.P4:- COPY OF THE STATEMENT FILED BY THE 3RD RESPONDENT DT. NIL.

EXT.P5:- COPY OF THE JUDGMENT IN WPC. NO.11873/07 DT. 10.4.07.

EXT.P6:- COPY OF THE REPORT BY RESPONDENT NO. I DT. NIL.

EXT.P7:- COPY OF THE ORDER IN OP. NO.182/07 BY RESPONDENT NO. 2 DT. 9.5.07.

EXT.P8:- COPY OF THE CONSENT ISSUED IN THE FILE NO.PCB/EKM/IAO -38/07, BY THE IST RESPONDENT DT. 29.5.07.

EXT.P9:- COPY OF THE D & O LICENSE ISSUED BY THE 3RD RESPONDENT DT. 8.6.07.

EXT.P10:- COPY OF THE APPLICATION IA. (UNNUMBERED) OF 2007 IN OP. 182/07 FILED BEFORE THE 2ND RESPONDENT DT. 9.6.07.

ANNEXURE R1(a):- COPY OF THE CONSENT DT. 22.1.07.

ANNEXURE R1(b):- COPY OF THE ORDER DT. 2.3.07.

ANNEXURE R1(c):- COPY OF THE AFFIDAVIT DT. 8.5.07.

ANNEXURE R1 (d):- COPY OF THE MONITORING RESULT DT. 28.9.07.

EXT.R4(a):- COPY OF THE APPLICATION DT. 12.4.07 SUBMITTED BY R4 BEFORE R2.

EXT.R4(b):- COPY OF THE CONSENT LETTER DT. 22.1.07 ISSUED BY R2 TO R4.

EXT.R4 ©:- COPY OF THE CONSENT LETTER DT. 29.5.07 ISSUED BY R2 TO R4.

/TRUE COPY/

P.S. TO JUDGE

tss

ANTONY DOMINIC, J.

W.P.(C) 25440 OF 2007

&

I.A.16115 OF 2007

Dated: December 7, 2007

JUDGMENT

When this writ petition came up for orders, learned counsel appearing for the petitioners reported that they have given up their vakalath and that they are no longer appearing for the petitioners.

2. Along with I.A.No.16115/2007, the 4th respondent has produced an affidavit sworn to by the petitioners to the effect that they have filed this writ petition on a wrong understanding of facts. That apart, learned counsel for the Pollution Control Board submits that the 4th respondent has already been given consent in respect of the dryer unit.

In view of this I do not think it necessary to keep this writ petition pending. Writ petition will stand dismissed.

ANTONY DOMINIC, JUDGE

mt/-